

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Alchas

Conf. No.: 2608

Serial No.: 09/825,395

Art Unit: 3763

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Examiner: MENDEZ, Manuel A.

Docket No: P-4498C1

Title: Intradermal Delivery Device Including A Needle Assembly

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO SEPTEMBER 26, 2008 NOTICE OF ALLOWANCE**

Sir:

Applicant submits this response to the Notice of Allowance mailed on September 26, 2008 with a Request for Continued Examination (RCE) and an IDS.

**Remarks**

Claims 1-17, 25-34, and 36-47 have been allowed in the previously mailed notice of allowance. In reviewing the notice of allowance and file history, Applicant agrees with the Examiner's Amendment which accompanied the September 26, 2008 Notice of Allowance. Indeed, this application is a continuation of application serial number 09/417,671 now US Patent Number 6, 494,865. Furthermore, Applicant would like to bring to the attention of the Examiner that the parent case (US Patent Number 6, 494,865) of the instant application is presently under reexamination by the USPTO in US Serial number 90/008,623. Although the claims under the reexamination are of different scope than the instant claims, Applicant respectfully submits these communications to make of record the documents cited in FORM PTO-1449, in conjunction with the filing of an RCE and associated Fees. An IDS with the references cited in the reexamination of US Patent 6,494,865 accompanies this paper and RCE. Should the Examiner require copies of any papers or references, please feel free to contact the Applicant's representative, Robert E. West at 201-847-6782. The documents submitted do not constitute an admission that they are relevant or material to the claims or are "prior art" to the subject

application. The citation of the above documents should not to be considered as a representation that no better art exists or that a search has been made.

### **Conclusion**

In view of the papers submitted, and the Remarks above, Applicant respectfully submits that Claims 1-17, 25-34, and 36-47 are in condition for allowance, and respectfully requests that the Examiner review the references submitted herewith. Applicant hereby authorizes the Commissioner to charge the fees necessary in connection with this Response, and any other fees necessary in connection with this application, to Deposit Account Number 02-1666.

In light of the above amendments and remarks, Applicant respectfully requests that the Examiner enter the amendments and consider the remarks made herein. Consideration and prompt allowance of the claims are respectfully submitted.

Any questions concerning this application or amendment may be directed to the undersigned agent of applicant.

Respectfully submitted,

Dated: December 19, 2008

By: /Robert E. West Reg #48,030 /

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